

On February 12, 1932, George A. Arts, Robstown, Tex., having entered an appearance and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. It was further ordered by the court that the said claimant pay all costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19615. Misbranding of butter. U. S. v. Staunton Creamery (Inc.). Plea of guilty. Fine, \$25. (F. & D. No. 27426. I. S. No. 15917.)

This action was based on the interstate shipment of a lot of butter, consisting of alleged quarter-pound cubes packed in cartons represented to contain 1 pound. Samples examined were found to contain less than the labeled weight.

On December 7, 1931, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Staunton Creamery (Inc.), Staunton, Va., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 29, 1931, from the State of Virginia into the State of North Carolina, of a quantity of butter that was misbranded. The article was labeled in part: (Carton) "Eureka Brand Butter Quarters One Pound Net * * * Staunton Creamery Inc. Staunton, Virginia;" (parchment wrapper on cubes) "4 Ounces Net Weight."

It was alleged in the information that the article was misbranded in that the statements, to wit, "One Pound Net," borne on the cartons, and "4 Ounces Net Weight," borne on the parchment wrappers were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser; since the cartons contained less than 1 pound net and the parchment wrappers inclosed less than 4 ounces net of the said article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the statements made were incorrect.

On March 21, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19616. Adulteration of canned shrimp. U. S. v. 40 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27221. I. S. No. 45259. S. No. 5396.)

Samples of canned shrimp from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On November 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 40 cases of canned shrimp, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Lone Star Fish & Oyster Co., Corpus Christi, Tex., on or about October 21, 1931 (1930), and had been transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Texas Star Brand Shrimp."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On February 16, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19617. Adulteration of canned shrimp. U. S. v. 225 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27225. I. S. No. 45261. S. No. 5399.)

Samples of canned shrimp from the shipment herein described having been found to be putrid and sour, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On November 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 225 cases of canned shrimp, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the

DeJean Packing Co., Biloxi, Miss., on or about October 10, 1931, and had been transported from the State of Mississippi into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Rabbit Brand Shrimp A. C. L. Haase & Sons Fish Co. Distributors, St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed and putrid animal substance.

On February 16, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19618. Adulteration and misbranding of frozen eggs and frozen egg yolks. U. S. v. Land O'Lakes Creameries (Inc.). Plea of guilty. Fine, \$35. (F. & D. No. 26563. I. S. Nos. 2347, 2348, 2349, 17252.)

Samples of frozen egg yolks and frozen whole eggs, taken from the shipments on which this action was based, were found to contain added sugar.

On December 14, 1931, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Land O'Lakes Creameries (Inc.), a corporation, Minneapolis, Minn., alleging shipment by said company, in violation of the food and drugs act, on or about December 20, 1929 and June 9, 1930, from the State of Minnesota into the State of New York, and on or about October 4, 1930, from the State of Minnesota into the State of Michigan, of quantities of frozen egg yolks and frozen whole eggs that were adulterated and misbranded. Portions of the articles were labeled in part: (Cans) "Land O'Lakes Frozen Eggs Land O'Lakes Creameries, Inc., Minneapolis, Minn. Guaranteed to comply with all pure food laws * * * Yolks or ["Whole Eggs"] A portion of the article was labeled: (Can) "Land O'Lakes Frozen Eggs * * * Land O'Lakes Creameries, Inc., Minneapolis, Minn."

It was alleged in the information that the articles were adulterated in that a substance, sugar, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and had been substituted in part for frozen egg yolks and frozen whole eggs, which the articles purported to be.

Misbranding was alleged for the reason that the respective statements, "Frozen Eggs," "Frozen Eggs, Yolks," and "Frozen Whole Eggs," appearing on the labels of the various lots, and the statement, "Guaranteed to comply with all pure food laws," also appearing on the labels of some of the lots, were false and misleading, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser, since the said statements represented that the articles consisted of frozen eggs, frozen egg yolks, or frozen whole eggs; whereas they did not so consist, but did consist in part of added sugar, and the portions of the articles which were labeled as complying with all pure food laws did not comply with the food and drugs act of June 30, 1906.

On February 8, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$35.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19619. Adulteration of rabbits. U. S. v. 1 Barrel of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27630. I. S. No. 45322. S. No. 5674.)

This action involved a shipment consisting of a barrel of slaughtered rabbits. Samples examined were found to be partially decomposed.

On January 6, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of the said barrel of rabbits at Chicago, Ill., alleging that the article had been shipped by the Oldham Produce Co., from Bosworth, Mo., on or about December 28, 1931, and had been transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed, filthy, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of portions of animals unfit for food.